

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHARON MITCHELL,

Defendant.

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No. 00cr10005-T

UNITED STATES' MOTION TO AMEND CONDITION OF RELEASE

COMES NOW, the United States of America, by and through Lawrence Laurenzi, Acting United States Attorney, and James W. Powell, Assistant United States Attorney for the Western District of Tennessee, and moves this Honorable Court as follows:

Pursuant to the attached letter from the United States Probation Office regarding the supervision of Nancy Sharon Mitchell, the government requests the Court grant the request contained therein and remove the bond condition of daily drug screening as previously ordered by Magistrate Judge Anderson.

THEREFORE, for the grounds set forth in the attached letter from U.S.P.O. Mark Escue, the government respectfully requests that the defendants' bond condition of daily drug screening be removed.

Respectfully submitted,

LAWRENCE LAURENZI  
Acting United States Attorney

**MOTION GRANTED**  
**DATE: 21 October 2005**

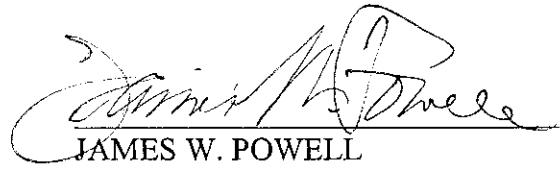
*James D. Todd*  
James D. Todd  
U.S. District Judge

This document entered on the docket sheet in compliance  
with Rule 55 and/or 32(b) FRCrP on 10-25-05

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05 OCT 21 AM 11:02  
CLERK'S OFFICE, U.S. DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
AT JACKSON

05 OCT 24 AM 8:41  
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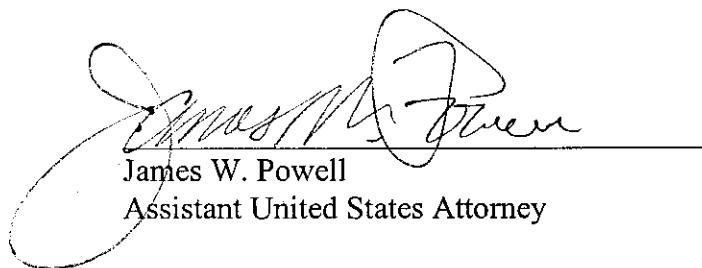
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JAMES W. POWELL  
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CERTIFICATE OF SERVICE

I, James W. Powell, Assistant United States Attorney for the Western District of Tennessee, hereby certify that a copy of the foregoing has been delivered to Mr. Jon York, Counsel for the defendant, at his business address at Jackson, Tennessee



James W. Powell  
Assistant United States Attorney

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
PROBATION OFFICE

ANNA B. WELLS  
CHIEF U.S. PROBATION OFFICER  
ROOM 234  
167 NORTH MAIN  
MEMPHIS, TN 38103  
901-495-1400

REPLY TO: JACKSON TN

MARK ALAN ESCUE  
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PHONE: 731-421-9241  
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[Mark\\_Escue@tnwd.uscourts.gov](mailto:Mark_Escue@tnwd.uscourts.gov)

October 21, 2005

James W. Powell  
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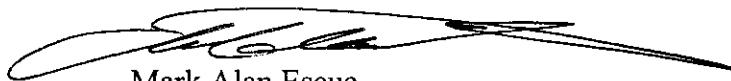
RE: **MITCHELL, Nancy Sharon**  
WD/TN Case no. 1: 00CR10005-003  
Request for motion

Dear Mr. Powell:

On September 6, 2005, Nancy Sharon Mitchell was arrested by the U.S. Marshals Service pursuant to a warrant issued by the Honorable James D. Todd, Chief U.S. District Court Judge, charging a violation of her supervised release. At her detention hearing held on September 9, 2005, U.S. Magistrate Judge S. Thomas Anderson ordered that Ms. Mitchell be released on a personal recognizance bond pending a final revocation hearing before Judge Todd, and additionally ordered that our office conduct *daily* drug screening of this individual (excluding weekends) and report any positive testing results to the Court.

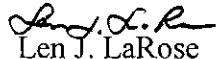
At her sentencing on July 21, 2000, Judge Todd ordered Nancy Sharon Mitchell to participate as directed in a program (outpatient and/or inpatient) approved by the Probation Officer for testing and treatment of narcotic addiction or drug or alcohol dependency. It has become a financial burden for our office to conduct *daily* drug screening of Ms. Mitchell, and additionally, results of current urine specimens will likely not be received by our office prior to her final revocation hearing scheduled on November 9, 2005. I am requesting that you file a motion to remove the bond condition of daily drug screening as ordered by Judge Anderson, citing the two reasons stated in the preceding sentence. Removal of this bond condition would not negate the original special drug screening condition of supervised release ordered by Judge Todd.

Sincerely,



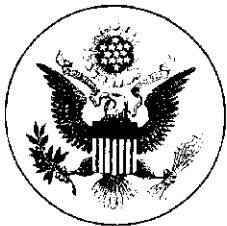
Mark Alan Escue  
U.S. Probation Officer

Approved:



Len J. LaRose  
U.S. Probation Officer-in-Charge

MAE:mae



# Notice of Distribution

This notice confirms a copy of the document docketed as number 222 in case 1:00-CR-10005 was distributed by fax, mail, or direct printing on October 25, 2005 to the parties listed.

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Honorable James Todd  
US DISTRICT COURT